

REMARKS

With entry of the present amendment claims 1-15 and 18-20 are pending. Claims 1-4 are allowed. Claims 16 and 17 are canceled. Claims 5, 6, 10, 13 and 18-20 are amended. No new matter is believed to be presented by the foregoing amendments.

Entry of this amendment and reconsideration of the claims, as amended and in view of the following remarks, is requested.

THE §112 REJECTIONS

Claims 16-19 are rejected Under 35 U.S.C. §112, first paragraph, as not being enabled. Applicants completely disagree with the basis for the rejection. Applicants have provided cell-based inhibition assay data demonstrating the cell cycle inhibition activity of the claimed compounds as well as therapeutic dose ranges. See Examples 22 and 23 and paragraphs [0051] – [0053]. Thus, this rejection is legally and factually improper. Nevertheless, to expedite prosecution of the application, Applicants have canceled claims 16 and 17 and have amended claims 18 and 19 to be in independent form. Applicants' method of treatment claims are now directed to three cancer types: lung, colon or prostate cancers. Amended claims 18 and 19 are fully supported by the specification and this rejection should be withdrawn.

Claims 5-10, 13-14 and 20 are rejected Under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is overcome in part and traversed in part.

All of the foregoing claims are rejected as containing abbreviations, such as references to Example numbers. As to claims 7, 8, 9, 11-12 and 14, this rejection is improper. Claims 7, 8, 9, and 11-12 depend from claim 1 and do not contain any impermissible abbreviations. Claim 14 is an independent claim and contains no abbreviations. Thus, rejection of these claims Under Section 112 is incorrect and should be withdrawn.

Claim 5 is amended to delete references to Example numbers and to correct the spelling of two compounds.

Similarly, claims 6, 10, 13 and 20 are amended to delete references to abbreviated Example numbers.

Example 20 is additionally rejected as the limitation "silapropoxy" in the name of the third-listed compound allegedly lacks "antecedent basis". The undersigned does not understand the rejection. Claim 20 is an independent claim directed to three compounds that are specifically named. Thus, there should be no issue of antecedence. These three compounds are novel intermediates useful in the synthesis of compounds of formula I and are not asserted to be within the genus of formula I. See paragraphs [0054] – [0057]. The third-listed compound is specifically identified in Example 19d. Thus, this specific rejection of claim 20 should be withdrawn.

CONCLUSION

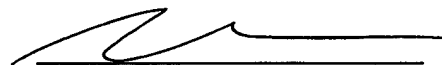
The foregoing amendment is fully responsive to the Office Action issued April 5, 2005. Applicants submit that Claims 1-15 and 18-20, as amended, are allowable. Early and favorable consideration is earnestly solicited.

If the Examiner believes there are other issues that can be resolved by telephone interview, or that there are any informalities remaining in the application which may be corrected by Examiner's Amendment, a telephone call to the undersigned attorney is respectfully solicited.

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Applicants believe that no fee is due with this communication. However, should the Patent Office determine that a fee is owed, or a credit is due to applicant, the Patent Office is hereby authorized to charge any required fees, including any extension of time and/or excess claim fees, or credit any overpayment, to applicant's Deposit Account 08-2525 as appropriate.

Respectfully submitted,



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